

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

) Magistrate Docket No. 08 MJ 0752

) MAR 10 PMT 2:09

Plaintiff

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

v.

Yaneth TELLEZ-Mendoza
AKA: Lorena GALLARDO

) COMPLAINT FOR

) VIOLATION OF:

) TITLE 18 U.S.C. § 1544

) Misuse of Passport

Defendant

DEPUTY

)

)

The undersigned complainant, being duly sworn, states:

On or about March 7, 2008, within the Southern District of California, **Defendant, Yaneth TELLEZ-Mendoza** did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting US passport number 038501027, issued in the name Lorena Gallardo, to a Department of Homeland Security, Customs and Border Protection Officer, at the San Ysidro Port of Entry, knowing full well that she was not Lorena Gallardo, that the passport was not issued or designed for her use, and that she is not a United States citizen entitled to a U.S. Passport; in violation of Title 18, United States Code, Section 1544.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this 10th day of March, 2008.

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Customs and Border Protection (CBP) Enforcement Officer Jacob James, declare under penalty of perjury the following to be true and correct:

On March 7, 2008, at approximately 1500 hours, Yaneth TELLEZ-Mendoza (Defendant) presented herself to a Department of Homeland Security, Customs and Border Protection (CBP) Officer via the pedestrian facility of the San Ysidro Port of Entry, to apply for admission to the United States. Defendant identified herself with US Passport number 038501027 bearing the name Lorena Gallardo, date of birth May 26, 1974, and a photograph not that of Defendant. CBP Officer suspected Defendant was an impostor and referred her to secondary inspection. In secondary inspection CBP Officer asked Defendant if the documents belonged to her. Defendant stated they did not.

Defendant was escorted from the secondary area into an interview room. During a videotaped proceeding, Defendant was advised of her Constitutional Rights in the Spanish language. Defendant agreed to answer questions without the benefit of counsel.

Defendant stated that her true name is Yaneth TELLEZ-Mendoza. Defendant stated she is in fact a Citizen of Mexico by virtue of birth in Pueblo, Mexico. Defendant admitted that she bought the US Passport from an unknown male in Tijuana Mexico for \$400 US Dollars.

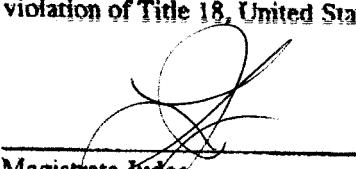
Defendant admitted to using the US Passport bearing the name Lorena Gallardo to apply for admission to the United States on March 7, 2008 at the San Ysidro Port of Entry. Defendant stated her intention was to travel to Lake Forrest, California to seek employment. Defendant admitted to knowing the passport was not designed for her use, did not bear her signature or photograph. Defendant admitted to knowing it was illegal to use the Passport to attempt entry into the United States.

Executed on this 8th day of March, 2008 At the San Ysidro Port of Entry.

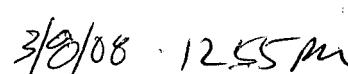


Jacob James / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page(s), I find probable cause to believe that the defendant named therein committed the offense on March 7, 2008 in violation of Title 18, United States Code, Section 1544.



Magistrate Judge



Date/Time